

REMARKS:

In response to the Examiner's restriction requirement by Office Action mailed August 1, 2006, Applicants hereby elect claims 1-46 and 50, or Invention I as defined by the Examiner, with traverse. However, reconsideration of the restriction requirement is respectfully requested in light of the following arguments.

The Examiner asserts that claims 1-46 and 50 (Invention I) are patentably distinct from claims 47 and 48 (Invention II), which are also both patentably distinct from claims 49 and 51-54 (Invention III). Specifically, the Examiner states that the claimed process claims of Inventions II and III can be used to make a materially different product other than Invention I.

There are two criteria for a proper requirement for restriction between patentably distinct inventions: 1) The inventions must be independent or distinct as claimed; and 2) There must be a serious burden on the examiner if restriction is required. *MPEP 803.01*. With respect to the first requirement, the term "distinct" means that two or more subjects disclosed are related, are capable of separate manufacture, and are patentable over each other (i.e. novel and unobvious). *MPEP 802.01*. With respect to the second requirement, a serious burden on the examiner may be *prima facie* shown if the Examiner shows by appropriate explanation of separate classification, or separate status in the art, or different field of search. *MPEP 803*.

Although Inventions I and II are classified in separate subclasses, both are classified in Class 52. Further, all inventions are directed to a door skin for a door having spaced stiles lying on a first plane and a planar portion disposed between the stiles and lying on a plane spaced from the first plane. It will be inefficient to prosecute these

claims separately. Applicants submit that examination of all claims would not be a serious burden on the Examiner, and respectfully requests reconsideration of the restriction requirement.

However, should the Examiner maintain the restriction requirement, Applicant requests that non-elected claims 47-49 and 51-54 be withdrawn, but considered for rejoinder following examination of the elected product claims.

It is believed that no fee is due for this submission. Should that determination be incorrect, then please debit Account 50-0548 and notify the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. C. Schrot', with a stylized, sweeping flourish extending to the right.

William C. Schrot
Registration No. 48,447
Attorney for Applicants

Berenato, White & Stavish, LLC
6550 Rock Spring Drive, Suite 240
Bethesda, Maryland 20817
Telephone: (301) 896-0600
Facsimile: (301) 896-0607
Email: wschrot@bwsiplaw.com